

## Haley Williams

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**From:** Ricky John <rmj@smith-john.com>  
**Sent:** Wednesday, January 27, 2016 2:02 PM  
**To:** Haley Williams  
**Subject:** Re: Louisiana Board of Ethics Docket No. 2016-010

Please find the response from Mr. Newman to the inquiry you submitted. Thank you and please contact me if further information is needed.

Mr. John,

The Louisiana Board of Ethics received your request for an advisory opinion, submitted on behalf of Michael Newman, regarding whether the Code of Governmental Ethics would prohibit certain transaction while Mr. Newman serves as a member of the Shreveport Metropolitan Planning Commission. In order for the Board to render an advisory opinion, additional information is needed. Please provide the following:

1. A brief summary of Newman Marchive Carlisle, Inc.'s current contracts with the Caddo Parish Commission and/or the City of Shreveport.
  - a. We have several ongoing architectural contracts with the Caddo Parish Commission. One involves the design of exterior waterproofing of the Bickham Building for which our architectural fee is approximately \$5,500.
  - b. With the City of Shreveport we have some smaller environmental consulting projects with fees for each being in the several hundred dollar range.
2. A brief summary of any contracts that Newman Marchive Carlisle, Inc., intends to enter into with the Caddo Parish Commission and/or the City of Shreveport.
  - a. We have no currently pending contracts with the either the City of Shreveport or Caddo Parish Commission. However each entity advertises for professional services as the need arises and we have no knowledge of what projects may be available to us in the near or long term future.
3. A brief explanation of each contract with the Caddo Parish Commission and/or the City of Shreveport involve the Shreveport Metropolitan Planning Commission.
  - a. I am not sure I understand the question, but none of the existing contracts require Shreveport Metropolitan Planning Commission submission or approvals nor is it expected that any of the future contracts will involve Shreveport Metropolitan Planning Commission submission or approval. None of the contracts require approval or administration by any entity that is under the jurisdiction of the MPC. The MPC has no role in approving or administering the architectural or environmental contracts between my firm and the Caddo Parish Commission or the City of Shreveport.

Some of the projects for which the contracts are granted require MPC approvals for variances or site plan approvals. I would recuse myself from the issue, which I understand to be the proper action.
4. Any additional information that you believe will be relevant in the Board's consideration of this matter.
  - a. Most of our work with either body in recent years has been relatively small ranging from several hundred dollars in fees to several thousand dollars. However, architectural fees on large projects can be large sums such as on the Renovations of the District Attorney's office which was completed two years ago. Our fee on that project was approximately \$150,000, but no MPC approvals were required.
  - b. Our firm works for many political subdivisions throughout north Louisiana performing both architectural and environmental consulting services as well as for private owners and developers.

- c. The firm occasionally represent clients in presenting projects to the MPC, although this is a minor part of our services, and I understand that I would have recuse myself from any action on the MPC for a project on which my firm is involved.
- d. This also brings forth an additional question as to whether I would need to recuse myself from any action on a project brought to the MPC by a present or former client even if I was not involved on that project.

When responding to this request for additional information, please keep in mind that any advisory opinion will be based on the facts provided by you. Any changes to the facts may result in a different application of the provisions of the Code of Governmental Ethics.

Please provide the requested information by the **Friday, January 29<sup>th</sup>, at 5:00 p.m.**

**Richard M. John  
Smith & John  
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Fax (318) 219-1002**

On Tue, Jan 26, 2016 at 3:42 PM, Haley Williams <[Haley.Williams@la.gov](mailto:Haley.Williams@la.gov)> wrote:

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2. A brief summary of any contracts that Newman Marchive Carlisle, Inc., intends to enter into with the Caddo Parish Commission and/or the City of Shreveport.
3. A brief explanation of each contract with the Caddo Parish Commission and/or the City of Shreveport involve the Shreveport Metropolitan Planning Commission.
4. Any additional information that you believe will be relevant in the Board's consideration of this matter.

When responding to this request for additional information, please keep in mind that any advisory opinion will be based on the facts provided by you. Any changes to the facts may result in a different application of the provisions of the Code of Governmental Ethics.

Please provide the requested information by the **Friday, January 29<sup>th</sup>, at 5:00 p.m.**

**Haley Williams**

Staff Attorney

**Louisiana Board of Ethics**

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**DISCLAIMER:** The contents of this message is for informational purposes only and does not constitute an advisory opinion of the Board. If you would like to request an advisory opinion from the Louisiana Board of Ethics, please refer to <http://www.ethics.state.la.us/BoardProcedures.aspx> for information about submitting a request for an opinion.

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